



Attorney's Pocket No.: 09010-108001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Walter Callen et al.
Serial No. : 10/081,872
Filed : February 21, 2002
Title : ENZYMES HAVING ALPHA AMYLASE ACTIVITY AND METHODS OF USE THEREOF

Art Unit : 1645
Examiner : Unknown

BOX MISSING PARTS

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

AND PETITION FOR EXTENSION OF TIME

In response to the Notice to File Missing Parts of Application under 37 U.S.C. §1.53(b) mailed March 25, 2002 (copy enclosed), applicants claim small entity status (see 37 CFR 1.27) and submit herewith the following:

- ☒ Payment of the basic filing fee of \$370;
- ☒ Payment of the additional/multiple dependent claims fees of \$2765;
- ☒ Payment of the surcharge of \$65 for late filing of the basic filing fee and/or declaration;
- ☒ Pursuant to 37 CFR §1.136, applicants hereby petition for a four month extension of time. The four-month extension fee of \$720 is included.
- ☒ A check in the total amount of \$3920 is attached;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63 (3 pages);

10/01/2002 SZEWDIE1 00000026 10081872

06 FC:218

720.00 DP

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202

September 25, 2002

Date of Deposit

Signature

Jeanne Amour-Rice

Jeanne Amour-Rice

Typed or Printed Name of Person Signing Certificate

Applicant : Walter Callen et al.
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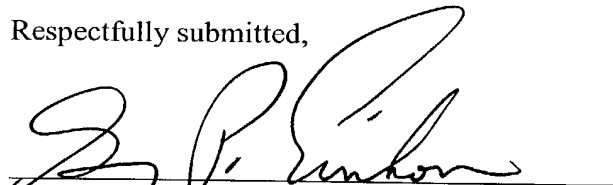
- ☒ Replacement drawings (116 sheets) that comply with the size requirements and that are clear and in permanent ink. The replacements contain the same material as the drawing on deposit;
- ☒ A Preliminary Amendment (4 pages);
- ☒ A Verified Statement under 37 CFR §1.821(f); and
- ☒ A paper copy (226 pages) and computer-readable copy (1 diskette) of the Sequence Listing.

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 09010-108001.

Respectfully submitted,

Date:

Sept. 25, 2002


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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/081,872	02/21/2002	Walter Callen	DIVER1530-5

 Gray Cary Ware & Freidenrich LLP
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 San Diego, CA 92121-2133


CONFIRMATION NO. 9897

FORMALITIES LETTER



OC000000007710190

Date Mailed: 03/25/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/01/2002 SZEWDIE1 00000026 10081872

FILED UNDER 37 CFR 1.53(b)

01 FC:201	370.00 OP
02 FC:205	65.00 OP
03 FC:202	924.00 OP
04 FC:203	1701.00 OP
05 FC:204	140.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity
- Total additional claim fee(s) for this application is \$2765.
 - \$1701 for 189 total claims over 20.
 - \$924 for 22 independent claims over 3.
 - \$140 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3200.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below

The required item(s) identified below must be timely submitted to avoid abandonment

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May

15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE